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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/671,781

09/29/2003

Naoto Kinjo

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EXAMINER

JERABEK, KELLY L

ART UNIT

PAPER NUMBER

2622

MAIL DATE

DELIVERY MODE

02/22/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/671,781

Applicant(s)

KINJO, NAOTO

Examiner

Kelly L. Jerabek

Art Unit

2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 January 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 2-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 1/16/2008 has been entered.

Response to Arguments

Applicant's arguments with respect to claims 2-13 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2-7 and 9-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takeshi US 2002/0158970 in view of Cohen et al. US 2002/0108118 and further in view of Sato US 2001/0017652.

Re claim 2, Takeshi discloses a photography system comprising: a photography device (electronic pickup camera) for taking photographs of photographic objects and acquiring image information (page 3, paragraphs 38-40; figure 1); and a portable data processing device (8) formed separately from the photography device (camera) for storing image information acquired by the photography device (camera), wherein the photography device (camera) includes image information transmission means (6) that directly transmits acquired image information to the data processing device directly (information is transmitted to communication unit 9 of PDA 8); and the image information transmission means (6) transmits the image information to a plurality of data processing devices (8), wherein each of the data processing devices (8) operates independently of each other (the external storage device 8 may be various PCs, PDAs or cellular telephones). Additionally, Takeshi states that the photography device (camera) has identification information (ID numbers) unique to the photography device (camera) (page 4, paragraph 51). However, although the Takeshi reference discloses all of the above limitations it fails to specifically state that the portable data processing device encodes and performs image processing on the image data transmitted from the camera and it also fails to specifically state that the identification information unique to

the photography device is transmitted to the portable data processing device in association with the acquired image information.

Cohen discloses a photography system including a photography device (10) and a portable data processing device (100) for receiving and storing images captured by the photography device (10) (page 3, paragraph 39- page 4, paragraph 45). Cohen states that the portable data processing device (100) is formed separately from the photography device (10) and is capable of encoding (the digitized data stored in the DDTS device 100 is converted into an appropriate form for further transmission and is compressed for storage) and storing the image information acquired by the photography device (10) (page 3, paragraph 39-page 4, paragraph 45; page 6, paragraphs 65 and 70). Therefore, it would have been obvious for one skilled in the art to have been motivated to perform image processing and encoding techniques as disclosed by Cohen in the data processing device of the photography system disclosed by Takeshi. Doing so would provide a means for performing image processing on an image transmitted to a remote device in order to adjust the image quality or prepare the image data for storage or further transmission. However, although the combination of the Takeshi and Cohen references discloses all of the above limitations and Takeshi discloses that the photography device has identification information unique to the photography device, the combination fails to specifically state that the portable data processing device encodes and performs image processing on the image data transmitted from the camera and it also fails to specifically state that the identification

information unique to the photography device is transmitted to the portable data processing device in association with the acquired image information.

Sato discloses a digital camera (1) that is capable of wirelessly transmitting image data to a photo service center (7). Sato states that each digital camera (1) includes an identification code (ID) for identifying the camera and further states that the digital camera (1) generates an image file by attaching data including the identification code (ID) to the image data and then transmits the image file to the photo service center (7) (page 1, paragraph 21-page 2, paragraph 24). Therefore, it would have been obvious for one skilled in the art to have been motivated to enable the camera disclosed by the combination of the Takeshi and Cohen references to transmit identification information unique to the camera in association with acquired information as disclosed by the Sato reference. Doing so would provide a means for easily identifying a camera that captured an image that is stored at a remote location.

Re claims 3-4, Takeshi discloses a photography system comprising: a photography device (electronic pickup camera) for taking photographs of photographic objects and acquiring image information (page 3, paragraphs 38-40; figure 1); and a portable data processing device (8) formed separately from the photography device (camera) for storing image information acquired by the photography device (camera), wherein the photography device (camera) includes image information transmission means (6) that directly transmits acquired image information to the data processing device directly (information is transmitted to communication unit 9 of PDA 8); and the

image information transmission means (6) transmits the image information to a plurality of data processing devices (8), wherein each of the data processing devices (8) operates independently of each other (the external storage device 8 may be various PCs, PDAs or cellular telephones). Additionally, Takeshi states that the photography device (camera) has identification information (ID numbers) unique to the photography device (camera) (page 4, paragraph 51). However, although the Takeshi reference discloses all of the above limitations it fails to specifically state that the portable data processing device receives image information from a plurality of photography device and encodes and performs image processing on image data transmitted from the plurality of photography devices and it also fails to specifically state that the identification information unique to the photography device is transmitted to the portable data processing device in association with the acquired image information.

Cohen discloses a photography system including a photography device (10) and a portable data processing device (100) for receiving and storing images captured by the photography device (10) (page 3, paragraph 39- page 4, paragraph 45). Cohen states that the portable data processing device (100) is formed separately from the photography device (10) and is capable of encoding (the digitized data stored in the DDTS device 100 is converted into an appropriate form for further transmission and is compressed for storage) and storing the image information acquired by the photography device (10) (page 3, paragraph 39-page 4, paragraph 45; page 6, paragraphs 65 and 70). Additionally, Cohen states that the data processing device (100) may receive image information from a plurality of photography devices (10) (page 5, paragraph 59).

Therefore, it would have been obvious for one skilled in the art to have been motivated to receive image information from a plurality of photography devices and perform image processing and encoding techniques as disclosed by Cohen in the data processing device of the photography system disclosed by Takeshi. Doing so would provide a means for performing image processing on an image transmitted to a remote device from multiple camera devices in order to adjust the image quality or prepare the image data for storage or further transmission. However, although the combination of the Takeshi and Cohen references discloses all of the above limitations and Takeshi discloses that the photography device has identification information unique to the photography device, the combination fails to specifically state that the portable data processing device encodes and performs image processing on the image data transmitted from the camera and it also fails to specifically state that the identification information unique to the photography device is transmitted to the portable data processing device in association with the acquired image information.

Sato discloses a digital camera (1) that is capable of wirelessly transmitting image data to a photo service center (7). Sato states that each digital camera (1) includes an identification code (ID) for identifying the camera and further states that the digital camera (1) generates an image file by attaching data including the identification code (ID) to the image data and then transmits the image file to the photo service center (7) (page 1, paragraph 21-page 2, paragraph 24). Therefore, it would have been obvious for one skilled in the art to have been motivated to enable the camera disclosed by the combination of the Takeshi and Cohen references to transmit identification

information unique to the camera in association with acquired information as disclosed by the Sato reference. Doing so would provide a means for easily identifying a camera that captured an image that is stored at a remote location.

Re claims 5-7, Cohen further states that the data processing device (100) classifies the encoded image information (places image data into folders) for each piece of the identification information and stores the classified encoded image information in the storage means (180) (page 6, paragraph 70).

Re claim 9, Cohen states that the image processing means has a function to encrypt the image information and stored the encrypted image information in the storage means (180) (page 4, paragraph 52).

Re claim 10, Cohen states that the data processing device (100) has a data transmission means (122 a, 122b) for transmitting data to an external device (server) (page 4, paragraph 45 and page 5, paragraph 62).

Re claim 11, Cohen states that the photography device (10) may be pre-located in order to capture images of tourists passing through a certain location (page 5, paragraph 58).

Re claims 12-13, Sato states that a digital camera (1) generates an image file by attaching data including the identification code (ID) to the image data and then transmits the image file to the photo service center (7) (page 1, paragraph 21-page 2, paragraph 24).

Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Takeshi in view of Cohen et al. in view of Sato and further in view of Dutta US 2003/0076408.

Re claim 8, the combination of Takeshi, Cohen and Sato discloses all of the limitations of claim 5 above. However, although Takeshi discloses a portable image data processing means (8) it fails to specifically state that the image data processing means (100) has correction conditions for correcting the image information for each of a plurality of sets of photography devices.

Dutta discloses a handheld camera that captures images and transmits them to a processing engine. Dutta states that images captured by the handheld camera device (204) are transferred to the processing engine (304) and the processing engine (304) processes the images to correct their relative distortions (pages 3-4, paragraph 29). Therefore, it would have been obvious for one skilled in the art to have been motivated to include the teaching of remotely processing images to correct relative distortions as disclosed by Dutta in the remote image data processing means disclosed by the combination of Takeshi, Sato and Cohen. Doing so would provide a means for remotely

correcting image signals in order to create a complete and reconstructed image of an object (Dutta; Page 1, paragraph 6).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Aoyagi (US 2003/0071900) discloses an image storage system and image accumulation apparatus. The information regarding wireless transmission of image data is relevant material.

Watanabe et al. (US 2002/0109733) discloses an image sensing system. The information regarding wireless transmission of image data is relevant material.

Allen et al. (US 5,737,491) discloses an electronic imaging system capable of image capture. The information regarding wireless transmission of image data is relevant material.

Shiota et al. (US 6,337,712) discloses a system for storing and utilizing picture image data recorded by a digital camera. The information regarding wireless transmission of image data is relevant material.

Safai et al. (US 6,167,469) discloses a method for transporting selected digital images. The information regarding wireless transmission of image data is relevant material.

Contacts

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kelly L. Jerabek whose telephone number is **(571) 272-7312**. The examiner can normally be reached on Monday - Friday (8:00 AM - 5:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lin Ye can be reached at **(571) 272-7372**. The fax phone number for submitting all Official communications is **(571) 273-7300**. The fax phone number for submitting informal communications such as drafts, proposed amendments, etc., may be faxed directly to the Examiner at (571) 273-7312.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KLJ



LIN YE
SUPERVISORY PATENT EXAMINER